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11 Attorney for Daisy Delgado

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 DAISY DELGADO,

18 Defendant.

19 Case Nos. 2:19-mj-00770-NJK

20 **STIPULATION TO CONTINUE
21 STATUS HEARING**

22 IT IS HEREBY STIPULATED AND AGREED, by and between United States
23 Attorney Nicholas A. Trutanich and Special Assistant United States Attorney Rachel L. Kent,
24 counsel for the United States of America, and Federal Public Defender Rene L. Valladares
25 and Assistant Federal Defender Robert O'Brien, counsel for Daisy Delgado that the status
26 hearing previously scheduled for July 14, 2020 at 1:30 p.m. be continued to a future date, in
December 2020 for a status check.

This Stipulation is entered into for the following reasons:

1. Ms. Delgado pled guilty to one count of Operating a Motor Vehicle while
Under the Influence of Alcohol, 36 CFR § 4.23(a)(1) on December 18, 2019 and received a
sentence of one year of unsupervised probation. As part of unsupervised probation, the Court
ordered the following special conditions: (a) Pay a \$1,000.00 Fine and \$10.00 Mandatory
Penalty Assessment; (b) Attend / Complete a DUI Course and Victim Impact Panel; and (c)

1 Refrain from entering the Lake Mead National Recreation Area for six months, commencing
2 December 18, 2019;

3 2. If Ms. Delgado (a) paid the fine and (b) completed her classes within the first
4 six months of informal probation, the Government agreed to move jointly with the defense to
5 allow Defendant to withdraw her guilty plea to Count One. The Government would then move
6 to amend Count One to a charge of Reckless Driving and Defendant would plead guilty to
7 Amended Count One. The parties will jointly request that the original sentence be applied to
8 the Reckless Driving conviction.

9 3. To date, Ms. Delgado has completed the required courses and paid 40% of the
10 outstanding fine.

11 4. Given the COVID-19 epidemic and the financial struggles of the customer
12 service industry, where Ms. Delgado is employed, the Government agrees to extend the
13 deadline for Ms. Delgado to pay the fine in order to receive a joint recommendation that she
14 be allowed to withdraw her guilty plea and plead guilty to a charge of Reckless Driving.

15 5. The parties recognize the need to limit in person hearings due to the COVID-
16 19 epidemic and rising infection rate in Nevada.

17 6. Accordingly, the parties jointly request the Court continue the status hearing
18 until a date in December 2020, when the current term of informal probation would conclude.

19 DATE: July 14, 2020

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21 RENE L. VALLADARES
Federal Public Defender

22 */s/ Robert O'Brien*
23 By _____

24 ROBERT O'BRIEN
Assistant Federal Public Defender

25 NICHOLAS A. TRUTANICH
United States Attorney

26 */s/ Rachel L. Kent*
By _____

RACHEL L. KENT
Special Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
DAISY DELGADO,
Defendant.

Case Nos. 2:19-mj-00770-NJK

ORDER

ORDER

Based on the pending Stipulation of counsel, IT IS ORDERED that the status hearing scheduled for July 14, 2020 at 1:30 p.m. be vacated and continued to December 3, 2020, at 1:30 p.m.

DATED: July 14, 2020.

UNITED STATES MAGISTRATE JUDGE

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